

# Minutes



## CITY COUNCIL MINUTES November 16, 1999

The Yukon City Council met in regular session on November 16, 1999, at 7:30 p.m. in the Council Chambers of the Centennial Building, 12 South Fifth.

Invocation was given by Reverend John Miller of Christ's Church.

Flag salute was given in unison.

### ROLL CALL:

(Present)

Larry Taylor, Mayor

Denny Myers, Vice Mayor

Genie Vinson, Council Member

Steve Friesen, Council Member

(Absent)

John Weller, Council Member

### OTHERS PRESENT:

Jim Crosby, City Manager

Pat Hargis, City Clerk

Mike Segler, City Attorney

Lynn Hynes, Engineer

Dustin McElhaney, Building Maintenance

Bill Bullard, Assistant Police Chief

Jan Scott, Park & Recreation Director

Mitch Hort, Chief Inspector

Dwyane Whitener, Public Works Director

Tammy Nemecek, Administrative Assistant

Jeff Deckard, Park Department

John Williams, Bond Attorney

Bob Lewis, Leo Oppenheim & Company

Keith McDonald, Leo Oppenheim & Company

Russell Still, PSG

John Knuppel, Historical Society

### VISITORS

### PRESENTATIONS-PROCLAMATIONS

"Community Education Day"

"Oklahoma Heritage Week"

## "Bible Week"

Mayor Taylor read a proclamation proclaiming the week of November 14-20, 1999 as "Oklahoma Heritage Week" in Yukon.

John Miller accepted the proclamation proclaiming November 21-28, 1999 as "Bible Week" in the City of Yukon.

Pam Shelton, Conrad Dudderar, John Miller, Jeff Lara and Susie Grimes accepted the proclamation proclaiming "Community Education Day" for November 16, 1999.

Mrs. Shelton stated she is working with the Park Department for a grant to begin an after school program for the mid high students. The program would allow students to do homework and keep them off the streets until their parents are home. Mrs. Shelton stated the grant is written and they hope to obtain computers to use for this program.

(Recess as Yukon City Council and Reconvene as Yukon Municipal Authority}

### **1A. YMA Consent Docket**

This item is placed on the agenda so the Yukon Municipal Authority, by unanimous consent, can designate those routine items they wish to be approved by one motion. If one item does not meet with the approval of all Authority Members, that item will be heard in regular order:

The City Manager recommends:

A) Approval of minutes of November 2, 1999

B) Consider approval of claims as listed:

#### 1998 CONSTRUCTION FUND:

a) #185 in the amount of \$20,000.00; payable to Landmark Structures, Inc. for Progress Certificate # 13 (final; includes retainage)

b) #186 in the amount of \$38,208.00; payable to Weaver Contracting, Inc. for pay application #11 (final; includes retainage and change order #5)

C) #187 in the amount of \$6,962.50; payable to Delbert & Sheila Dahl for right-of-way easement for animal control shelter

d) #188 in the amount of \$36.00; payable to Schwarz Ready Mix for rock for drive at lift station

e) #189 in the amount of \$236.56; payable to A.M. Concrete Cutting, Inc. for core drillings at animal control facility

f) #190 in the amount of \$116.78; payable to Midstate Utility Supply, Inc. for gaskets, sleeves, lugs, bolts, nuts at animal control facility

g) #191 in the amount of \$37.10 for long sleeve; 4" MJ acc set; 4" MJ transition gasket for animal control facility

h) #192 in the amount of \$383.46; payable to Berg-Dod Pipe & Supply for threaded flange, street ell and flange gasket for animal control facility

i) #193 in the amount of \$88.00 for repair of 2" gas service at new gymnasium

A motion was made by Trustee Friesen, seconded by Trustee Vinson, to approve and accept the consent docket as presented above.

#### **The vote:**

**AYES: Myers, Friesen, Vinson, Taylor**

**NAYS: None**

**VOTE: 4-0**

**MOTION CARRIED**

## 2A. NEW BUSINESS

A) Resolution to be introduced and adopted, authorizing the issuance of the Yukon Municipal Authority (the "Authority") Utility System Revenue and Refunding Bonds, Series 1999 (the "bonds"), in the aggregate principal amount not to exceed \$4,995,000; waiving competitive bidding and authorizing the bonds to be sold at a price less than par value by negotiated sale within the limits provided by Title 60 Oklahoma Statutes, Section 176, appointing a trustee; approving the following documents and authorizing the chairman of the Authority (or vice chairman of the Authority in the absence of the chairman) to execute and deliver same, to-wit: bond purchase agreement with Oppenheim, a division of BOSC, Inc.; Series 1999 supplemental bond indenture, preliminary official statement, official statement, closing order, refunding escrow agreement, and any and all other documents necessary to consummate issuance of the bonds, to include certifications as to continuing disclosure by the Authority; ratifying a lease agreement and operation and maintenance contract between the City of Yukon (the "City") and the Authority and agreeing that the term of the lease shall extend so long as any of the bonds remain outstanding and unpaid; ratifying a general bond indenture; designating the bonds as qualified tax-exempt obligations with respect to the financial institution's interest deduction provisions contained in the Internal Revenue Code of 1986 (the "Code") and providing exception for small governmental units as contained in the Code; providing that the trust indenture shall be subject to provisions of the general bond indenture as supplemented by the Series 1999 supplemental bond indenture; providing for bond insurance, but not requiring same; and, authorizing the execution, modification and delivery of necessary documents regarding the bonds and direction of disbursements of proceeds from the sale of the bonds

Chair Taylor asked the City Attorney to read the title in full. After the reading, Trustee Vinson made a motion to adopt Resolution No. 99-113. Motion was seconded by Trustee Friesen.

Chair Taylor advised this is simply re-financing the bonds.

**The vote:**

**AYES: Vinson, Friesen, Myers, Taylor**

**NAYS: None**

**VOTE: 4-0**

**MOTION CARRIED**

(Recess as YMA and Reconvene as Yukon City Council)

### 1. Consent Docket

This Item is placed on the agenda so the City Council, by unanimous consent, can designate those routine items they wish to be approved by one motion. If one item does not meet with the approval of all Council Members, that item will be heard in regular order.

The City Manager recommends:

A) Approval of minutes of the meeting of November 2, 1999

B) Consider approval of salary and material claims

- C) Consider approving and entering into the following contract/lease/agreement:
1. By and between the City of Yukon and Hung Van Huynh for building rental at 10 South Garth Brooks Boulevard ("Brant" building)
  2. Interlocal agreement by and between the City of Yukon and the cities of Mustang, El Reno, Piedmont and County of Canadian for mutual aid
  3. By and between the City of Yukon and Larry Derryberry
  4. By and between the City of Yukon and Delbert (Pete) and Sheila Dahl for a permanent right-of-way
- D) Consider approving recommendation of Planning Commission to place a "No Through Trucks" sign on the access road on the south side of Route 66, at the first turn west of Mustang Road
- E) Set date for next regular meeting for December 7, 1999, 7:30 P.M., in the Council Chambers of the Centennial Building, 12 South Fifth

A motion was made by Vice Mayor Myers, seconded by Council Member Friesen, to approve the consent docket as presented.

**The vote on the motion:**

**AYES: Vinson, Myers, Taylor, Friesen**

**NAYS: None**

**VOTE: 4-0**

**MOTION CARRIED**

## **2. Report of Boards, Commissions and City Officials**

### **3. A) Consider approval of Ordinance No. 1040 amending Ordinance No. 657, Appendix A of the Code of the City of Yukon, rezoning a part of the SW/4 of S22, T12N, R5, west of the IM, from "A-I" (Agricultural District) to "C-1" (Office District), and declaring an emergency**

Mayor Taylor advised he had a financial interest in this item and would excuse himself from the room and would not participate in discussion of or the vote on this item, or the following item.

Council Member Friesen made a motion, seconded by Council Member Vinson, to approve Ordinance No. 1040 rezoning a part of the SW/4 of S22, T12N, R5, west of the IM, from "A-I" (Agricultural District) to "C-1" (Office District), and declaring an emergency.

**The vote:**

**AYES: Friesen, Myers, Vinson**

**NAYS: None**

**VOTE: 3-0**

**MOTION CARRIED**

### **B) Consider approval of emergency clause of Ordinance No. 1040**

A motion was made by Council Member Vinson, seconded by Council Member Friesen, to approve the emergency clause to Ordinance No. 1040.

**The vote:**

**AYES: Vinson, Friesen, Myers**

**NAYS: None**

**VOTE: 3-0**  
**MOTION CARRIED**

**4. A) Consider approval of Ordinance No. 1041 amending the Code of the City of Yukon by amending Appendix A, Section 603.2, Uses Permitted, by providing that a pharmacy of less than 5,000 square feet be a permitted use in zoning district C-1 (Office District), and declaring an emergency**

Council Member Friesen made a motion, seconded by Council Member Vinson, to approve Ordinance No. 1041 amending the Code of the City of Yukon by amending Appendix A, Section 603.2, Uses Permitted, by providing that a pharmacy of less than 5,000 square feet be a permitted use in zoning district C-1 (Office District), and declaring an emergency.

**The vote:**  
**AYES: Myers, Friesen, Vinson**  
**NAYS: None**  
**VOTE: 3-0**  
**MOTION CARRIED**

**B) Consider approval of emergency clause of Ordinance No. 1041**

A motion was made by Council Member Friesen, seconded by Council Member Vinson, to approve the emergency clause of Ordinance No. 1041.

**The vote:**  
**AYES: Vinson, Myers, Friesen**  
**NAYS: None**  
**VOTE: 3-0**  
**MOTION CARRIED**

Mayor Taylor returned to the Council Chambers.

**5. Consider approving plat correction for Victorian Estates, Section One**

Mitchell Hort, Chief Inspector, stated that according to Nancy McNayr, City Planner, the plat had an error on it regarding the ingress/egress on Cameo and this is a correction of that error.

A motion was made by Council Member Vinson, seconded by Council Member Friesen, to approve the plat correction for Victorian Estates, Section One.

**The vote on the motion:**  
**AYES: Vinson, Friesen, Myers, Taylor**  
**NAYS: None**  
**VOTE: 4-0**  
**MOTION CARRIED**

**6. A) Consider approval of Ordinance No. 1042, which provides amendment to the Code of Ordinances of the City of Yukon by amending Sections 2-218, 2-219, 2-222, and 2-223 of the Code of Ordinances, providing for amendment of purchases, and declaring an emergency**

Mike Segler, City Attorney, stated this ordinance basically just brings us up-to-date with the state law. A motion was made by Council Member Friesen, seconded by Council Member Vinson, to approve Ordinance No. 1042, which provides amendment to the Code of Ordinances of the City of Yukon by amending Sections 2-218, 2-219, 2-222, and 2-223 of the Code of Ordinances, providing for amendment of purchases, and declaring an emergency.

**The vote:**

**AYES: Myers, Vinson, Taylor, Friesen**

**NAYS: None**

**VOTE: 4-0**

**MOTION CARRIED**

**(B) Consider approval of emergency clause of Ordinance No. 1042**

Council Member Vinson made a motion to approve the emergency clause of Ordinance No. 1041. Motion was seconded by Council Member Friesen.

**The vote:**

**AYES: Friesen, Vinson, Taylor, Myers**

**NAYS: None**

**VOTE: 4-0**

**MOTION CARRIED**

**7. Consider approval of first reading by title of Ordinance No. 1043, an ordinance amending Section 18-30 of the Code of the City of Yukon**

A motion was made by Council Member Vinson, seconded by Council Member Friesen, to approve the first reading by title of Ordinance No. 1043.

**The vote:**

**AYES: Myers, Vinson, Friesen, Taylor**

**NAYS: None**

**VOTE: 4-0**

**MOTION CARRIED**

**8. Consider declaring the following as public nuisances and direct Staff to take appropriate action:**

<b>LOCATION</b>	<b>OWNER</b>	<b>VIOLATION</b>
1306 Glenda	Dietrich	Nuisance vehicle
1079 Dover Mansion	Sibley	Nuisance vehicle
632 Woodlawn	Campbell	Nuisance vehicle

Mayor Taylor advised that all complaints have been abated with the exception of 632 Woodlawn, and the owner/resident, Clay Campbell, is here to address the Council regarding his property.

Mitch Hort, Chief Inspector, presented a photograph of the home and stated that Mr. Campbell's problem is two-fold: there is an untagged vehicle in his driveway that blocks the sidewalk and hangs over into the street.

Mr. Campbell asked when this picture was taken. Mr. Hort advised it had been taken about

1:30 this afternoon. Mr. Campbell advised the problem has since been resolved by tagging the automobiles and moving them.

City Manager stated if Mr. Campbell has taken care of this, there is no need for further discussion, as this is no longer a nuisance,

No action was taken.

## **9. NEW BUSINESS**

A) Introduce, consider and approve an ordinance amending Section 2-137(b) of the Code of Ordinances of the City of Yukon by determining that certain obligations including the Yukon Municipal Authority Utility System Revenue and Refunding Bonds, Series 1999, in the aggregate principal amount of not to exceed \$4,995,000, do not exceed debt limitations; repealing all conflicting ordinance provisions; and declaring an emergency

City Attorney read the ordinance in full. A motion was made by Council Member Friesen, seconded by Council Member Vinson, to approve the Ordinance as presented.

**The vote:**

**AYES: Vinson, Taylor, Friesen, Myers**

**NAYS: None**

**VOTE: 4-0**

**MOTION CARRIED**

**B) Consider approval of emergency clause to ordinance Council Member Vinson made a motion to approve the emergency clause of the ordinance. Council Member Friesen seconded the motion.**

**The vote:**

**AYES: Taylor, Friesen, Vinson, Myers**

**NAYS: None**

**VOTE: 4-0**

**MOTION CARRIED**

C) Resolution to be introduced and adopted approving the incurrence of indebtedness by the Yukon Municipal Authority (the "Authority") issuing its utility system revenue and refunding bonds, Series 1999 (the "bonds"), in the aggregate principal amount not to exceed \$4,995,000; waiving competitive bidding and authorizing the bonds to be sold at a price less than par value by negotiated sale within the limits provided by Title 60 Oklahoma Statutes, Section 176, pursuant to a bond purchase agreement with Oppenheim, a division of BOSC, Inc.; ratification of a lease agreement and operation and maintenance contract between the City and the Authority and agreeing that the term of the lease shall extend so long as any of the bonds remain unpaid; designating the bonds as qualified tax-exempt obligations under the internal revenue code of 1986 (the "Code"); making determinations necessary for the exception for small governmental units under the Code; providing that the trust indenture shall be subject to provisions of the bond indenture; and, providing for the execution and delivery of necessary documents, certifications and modifications

Title of Resolution No. 99-113 was read by City Attorney Mike Segler. Council Member Vinson made a motion, seconded by Council Member Friesen, to approve Resolution No. 99-113.

**The vote:**

**AYES: Vinson, Friesen, Myers, Taylor**

**NAYS: None**

**VOTE: 4-0**

**MOTION CARRIED**

**10. Open Discussion**

A) Council Member Vinson stated the "Leaders for Tomorrow" class sponsored by OG&E, ONG, Southwestern Bell and YNS, had 15 kids chosen to be in the first class that starts next week.

B) Vice Mayor Myers congratulated his wife and her cub scout troop on their collages that were on display in Edmond. He stated from Edmond, the collages will be sent to Washington, D.C. for viewing. Vice Mayor Myers stated he wanted to thank Charlie Bishop for allowing them to work in his building.

C) Mayor Taylor stated that this Sunday is the Library Christmas tree auction, and it is always a lot of fun and a great fundraiser for the library. The following Saturday will be the downtown tree lighting, and December 11th is the Mayor's Christmas party. On Monday the 29th of November, the Christmas in the Park opens and it will be even better than ever, as it has doubled in size from last year.

City Manager stated we have two or three times as many displays.

**11. Adjournment**

Larry Taylor, Mayor

Patricia G. Hargis, City Clerk